

Decision 16-09-060. September 29, 2016

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Michael Hetherington and Janet Hetherington,

Complainants,

vs.

Pacific Gas and Electric Company (U39E),

Defendant.

Case 10-10-010
(Filed October 13, 2010)

ORDER EXTENDING STATUTORY DEADLINE

Summary

This decision extends the statutory deadline for completion of this proceeding until April 13, 2017.

1. Background

Pub. Util. Code § 1701.2(e) provides that adjudicatory cases, such as this one, shall be resolved within 12 months of initiation unless the Commission makes findings as to why that deadline cannot be met and issues an order extending that deadline. The Commission has issued several decisions extending the 12-month statutory deadline for this proceeding. The most recent Decision (D.) 16-04-012, issued on April 7, 2016, further extended the 12-month statutory deadline to October 13, 2016.

On March 17, 2016, the Commission adopted D.16-03-013 granting in part and denying in part the complaint and resolving outstanding motions.

D.16-03-013 resolved all the substantive disputes in this proceeding. However, on February 16, 2016, the assigned Administrative Law Judge (ALJ) issued a ruling directing Pacific Gas and Electric Company (PG&E) to show cause why it should not be sanctioned by the Commission for violation of Rule 1.1 of the Commission's Rules of Practice and Procedure. For this reason, D.16-03-013 determined that this proceeding shall remain open in order resolve those issues. The presiding officer's decision is expected to be issued in October, 2016. Therefore, this proceeding cannot be completed by October 13, 2016 and an extension of time for an additional six months is necessary. This order extends the time for completion of this proceeding until April 13, 2017.

2. Waiver of Comment Period

Under Rule 14.6(c)(4) of the Commission's Rules of Practice and Procedure, the Commission may waive the otherwise applicable 30-day period for public review and comment on a decision that extends the 12-month deadline set forth in Pub. Util. Code § 1701.2(e). Under the circumstances of this case, it is appropriate to waive the 30-day period for public review and comment.

3. Assignment of Proceeding

Michel Peter Florio is the assigned Commissioner and Stephen C. Roscow is the assigned ALJ and presiding officer in this proceeding.

Findings of Fact

1. The Commission has issued several decisions extending the 12-month statutory deadline in this proceeding. Most recently, D.16-04-012 further extended the 12-month statutory deadline to October 13, 2016.

2. On March 17, 2016, the Commission issued D.16-03-013 granting in part and denying in part the complaint and resolving outstanding motions in this proceeding.

3. Ordering Paragraph 11 of D.16-03-013 left the proceeding open to address the results of a separate ruling by the assigned ALJ ordering PG&E to show cause why it should not be sanctioned by the Commission for violation of Rule 1.1 of the Commission's Rules of Practice and Procedure.
4. The presiding officer's decision is expected to be issued in October, 2016.
5. This proceeding cannot be completed by October 13, 2016.

Conclusion of Law

Pursuant to the authority granted to the Commission under Pub. Util. Code § 1701.2(e), the statutory deadline should be extended to April 13, 2017.

IT IS ORDERED that:

1. The time for completion of this proceeding is extended until April 13, 2017.
2. The 30-day period for review and comment on this order is waived.

This order is effective today.

Dated September 29, 2016, at San Francisco, California.

MICHAEL PICKER
President
MICHEL PETER FLORIO
CATHERINE J.K. SANDOVAL
LIANE M. RANDOLPH
Commissioners

Commissioner Carla J. Peterman, being
necessarily absent, did not participate.